

RECEIVED

MAY 15 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

* NO conveyance docs received 5/22

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
67-14444	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Danny C. Smith & Verla M. Smith

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): K3 Cattle Company, A Limited Liability Company

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☐ and/or

1214 E Commerical Street

Weiser

ID

83672

Mailing address

City

State

ZIP

208-570-4598

BOKNER @ AUTOMATIONWORKS.NET

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: May 10, 2018

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature:

Caleb P. Turner
Signature of new owner/claimant

Managing Member
Title, if applicable

5-10-18
Date

- Signature:

Butt Kern
Signature of new owner/claimant

MANAGING MEMBER
Title, if applicable

5/10/18
Date

For IDWR Office Use Only:

Received by CS Date 5/15/18

Receipt No. W046334

Receipt Amt. \$25⁰⁰

Active in the Water Supply Bank? Yes ☐ No ☒

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☒

Name on W-9 X

Approved by CS

Processed by CS

Date 5/29/18

Form 42-248/42-1409(6) Rev. 1/15

RECEIVED
MAY 22 2018
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RESOURCES
WESTERN REGION
MAY 15 2018
WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

* NO
conveyance
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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
67-14444	Yes ☐	Yes ☐		Yes ☐	Yes ☐
INVALID	Yes ☐	Yes ☐		Yes ☐	Yes ☐
#	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Danny C. Smith & Verla M. Smith

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): K3 Cattle Company, A Limited Liability Company

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

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4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: May 10, 2018

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following REQUIRED items:

- * MISSING ☐ A copy of the conveyance document - warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
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 - ☐ \$100 per split water right.
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- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature]
Signature of new owner/claimant

[Signature]
Title, if applicable

5-10-18
Date

Signature: [Signature]
Signature of new owner/claimant

MANAGING MEMBER
Title, if applicable

5/12/18
Date

For IDWR Office Use Only:

Received by [Signature] Date 5/15/18

Receipt No. W046334

Receipt Amt. \$25.00

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9 _____

Approved by _____ Processed by _____

Date _____

235810

235754

RECEIVED

MAY 22 2018

WATER RESOURCES
WESTERN REGION

Instrument # 235810
STATE OF IDAHO, COUNTY OF WASHINGTON
5-18-2018 01:38:00 PM No. of Pages: 4
Recorded for : WASHINGTON COUNTY TITLE
BETTY J THOMAS Fee: \$1.00
Ex-Officio Recorder Deputy Theresa McConnell
Idaho is DEED

Instrument # 235754
STATE OF IDAHO, COUNTY OF WASHINGTON
5-18-2018 04:06:00 PM No. of Pages: 4
Recorded for : WASHINGTON COUNTY TITLE
BETTY J THOMAS Fee: \$1.00
Ex-Officio Recorder Deputy Theresa McConnell
Idaho is DEED

WARRANTY DEED

Escrow No. 218-149

This document is being recorded to correct a

FOR VALUE RECEIVED

Scrivener's error in the legal description.

Dan C. Smith aka Danny C. Smith aka Danny Clyde Smith and Verla M. Smith, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto

R3 Cattle Company, an Idaho Limited Liability Company,

whose current address is 1214 E Commercial Street Weiser, ID 83672

the grantee, the following described premises, in Washington County, Idaho, TO WIT:

SEE LEGAL DESCRIPTION - EXHIBIT A

SELLER TO TRANSFER BUILDING PERMIT

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he/she is the owner in fee simple of said premises, that they are free from all encumbrances Except Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, appurtenant or record.

And that s/he will warrant and defend the same from all lawful claims whatsoever.

Dated 5-10-2018

Danny C. Smith
Danny C. Smith

Verla M. Smith
Verla M. Smith

STATE OF IDAHOCOUNTY OF WASHINGTON

SS.

On this 10 day of May in the year 2018 before me, a Notary Public in and for said state, personally appeared Danny C. Smith and Verla M. Smith known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public in and for the State of Idaho
My Commission Expires: 12/31/2021

235810 235754

Escrow No. 218-149

EXHIBIT "A"
Legal Description

The land referred to in this document is situated in the State of Idaho, County of Washington, and is described as follows:

A parcel of land situated within the S1/2SE1/4 of Section 33, Township 11 North, Range 4 West, Boise, Meridian and within Government Lots 1 and 2 of Section 4, Township 10 North, Range 4 West, Boise Meridian, Washington County, Idaho, which parcel of land is more particularly described as follows:

Beginning at the northwest corner of the S1/2SE1/4 of Section 33, T.11N., R.4W., B.M.;

Thence S 0°00'01"E, a distance of 218.98 feet along the west line of said S1/2SE1/4 to a point on a curve being 50.00 feet southwesterly from the center and along the southwesterly boundary of the Friends of the Weiser River Trail (former Pacific and Idaho Northern [PIN] Railroad);

Thence a distance of 238.08 feet along the arc of a 904.93 foot radius curve to the right, having a central angle of 15°04'26", and a long chord bearing S 56°07'58"E a distance of 237.39 feet, said curve being 50.00 feet southwesterly from the center and along the southwesterly boundary of said Friends of the Weiser River Trail;

Thence S 47°19'31"E, parallel to and 50.00 feet southwesterly from the centerline and along the southwesterly boundary of said Friends of the Weiser River Trail, a distance of 91.68 feet to point of curvature;

Thence a distance of 203.43 feet along the arc of 1004.93 foot radius curve to the left, having a central angle of 11°35'56", and along chord bearing S 55°09'56" E a distance of 203.09 feet, said curve being 50.00 feet southwesterly from the center and along the southwesterly boundary of said Friends of the Weiser River Trail;

Thence a distance of 234.89 feet along the arc of ~~100.93~~ 1004.93 foot radius curve to the left having a central angle of 13°23'33", and a long chord bearing S 67°39'40"E, a distance of 234.36 feet, said curve being 50.00 feet southwesterly from the center and along the southwesterly boundary of said Friends of the Weiser River Trail;

Thence S 4°53'45"W, a distance of 391.93 feet, to the TRUE POINT OF BEGINNING

Thence S 30°59'25"E, a distance of 61.45 feet;

Thence S 44°29'09"E, a distance of 245.06 feet;

Thence S 47°18'24"E, a distance of 93.31 feet;

Thence S 54°11'39"E, a distance of 282.27 feet to a point within Government Lot 2 of Section 4, T.10N., R.4W., B.M.;

Thence S 65°34'07"E, a distance of 365.09 feet to a point within Government Lot 1 of said Section 4;

Thence S 13°24'04"W, a distance of 119.98 feet to a point on the northerly bank of the Galloway Canal;

Thence easterly along the northerly bank of said Galloway Canal to a point on the east line of said Government Lot 1;

Thence south along the east line of said Government Lot 1 to the southeast corner of said Government Lot 1;

235810**235754**

Thence west along the south line of said Government Lot 1 and said Government Lot 2 to the southwest corner of said Government Lot 2;

Thence north along the west line of said Government Lot 2 to the northwest corner of said Government Lot 2 (southwest corner of said S1/2SE1/4 of said Section 33);

Thence N 0°00'01"W, a distance of 394.27 feet along the west line of said S1/2SE1/4;

Thence S 85°41'41"E, a distance of 210.07 feet;

Thence S 83°28'54"E, a distance of 335.00 feet;

Thence S 66°59'30"E a distance of 78.46 feet to the TRUE POINT OF BEGINNING;

TOGETHER WITH AND SUBJECT TO a 30.00 foot wide ingress-egress and utility easement within said S1/2SE1/4 being 15.00 feet wide on each side of the following described centerline:

Beginning at the northwest corner of the S1/2SE1/4 of Section 33, T.11N., R.4W., B.M.:

Thence S 23°44'56"E, a distance of 43.85 feet to the TRUE POINT OF BEGINNING on the centerline of said easement in the center of Weiser River Road;

Thence S 10°03'37"E, a distance of 66.34 feet along the centerline of said easement to a point on a curve, said curve being 65.00 feet northeasterly from the center of said Friends of the Weiser River Trail;

Thence along the center of said easement a distance of 293.78 feet along the arc of an 1019.93 foot radius curve to the right, having a central angle of 16°30'13", and a long chord bearing S 56°46'26"E a distance of 292.77 feet, said curve being 65.00 feet northeasterly from the center of said Friends of the Weiser River Trail;

Thence S 47°19'31"E, parallel to and 65.00 feet northeasterly from the centerline of said Friends of the Weiser River Trail, a distance of 90.80 feet along the centerline of said easement to a point of curvature;

Thence along the center of said easement a distance of 199.77 feet along the arc of an 889.93 foot radius curve to the left, having a central angle of 12°51'43" and a long chord bearing S 55°55'30"E a distance of 199.36 feet, said curve being 65.00 feet northeasterly from the center of said Friends of the Weiser River Trail;

Thence S 32°18'08"W, a distance of 237.00 feet along the centerline of said easement to the POINT OF ENDING.

Said easement being subject to the right-of-way of Weiser River Road.

ALSO TOGETHER WITH AND SUBJECT TO a 30.00 foot wide ingress-egress and utility easement within said S1/2SE1/4, the easterly line of said easement being more particularly describes as follows:

Beginning at the northwest corner of the S1/2SE1/4 of Section 33, T.11N, R.4W., B.M.:

THENCE S 89°39'27"E, a distance of 267.28 feet along the north line of said S1/2SE1/4 to the TRUE POINT OF BEGINNING, being the northeast corner of said easement;

Thence S 9°01'23"E, a distance of 330.16 feet along the easterly line of said easement to the POINT OF ENDING on the northeasterly right-of way of said Friends of the Weiser River Trail. Said easement being SUBJECT TO the right-of-way of Weiser River Road.

ALSO SUBJECT TO AND TOGETHER WITH a 30.00 foot wide ingress-egress and utility easement within said S1/2SE1/4 and within Government Lots 1 and 2 of Section 4, Township 10 North Range 4 West, Boise Meridian, said easement being 15.00 feet wide on each side of the following described centerline:

Beginning at the northwest corner of said S1/2SE1/4;

Thence S 89°39'27"E, a distance of 267.28 feet along the north line of said S1/2SE1/4;

235810 235754

Thence S 9°01'23"E, a distance of 330.16 feet to a point on a line 50.00 feet northeasterly from the centerline of said Friends of the Weiser River Trail;

Thence S 47°19'31"E, parallel to and 50.00 feet northeasterly from the centerline of said Friends of the Weiser River Trail, a distance of 16.19 feet to a point of curvature;

Thence a distance of 373.96 feet along the arc of a 904.93 foot radius curve to the left, having a central angle of 23°40'38", and a long chord bearing S 61°18'52"E a distance of 371.30 feet, said curve being 50.00 feet northeasterly from the center of said Friends of the Weiser River Trail;

Thence S 4°53'45"W, a distance of 473.92 feet, to the TRUE POINT OF BEGINNING on the centerline of said easement;

Thence N 8°17'24"W, a distance of 135.09 feet along the centerline of said easement;

Thence S 17°58'03"W, a distance of 101.76 feet along the centerline of said easement ;

Thence S 9°19'54"E, a distance of 141.84 feet along the centerline of said easement;

Thence S 40°36'56"E, a distance of 418.32 feet along the centerline of said easement to a point within Government Lot 2 of Section 4, T. 10N., R.4W., B.M.;

Thence S 48°59'46"E, a distance of 126.29 feet along the centerline of said easement;

Thence S 61°25'25"E, a distance of 259.65 feet along the centerline of said easement;

Thence S 76°09'35"E, a distance of 118.94 feet along the centerline of said easement;

Thence S 63°50'23"E, a distance of 140.94 feet along the centerline of said easement to the POINT OF ENDING within Government Lot 1 of said Section 4, which point bears N 13°24'04"E, a distance 26.00 feet along a property line described above, from the property corner described above as being on the northerly bank of the Galloway Canal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

May 29, 2018

K3 CATTLE COMPANY
1214 E COMMERCIAL ST
WEISER ID 83672-2426

Re: Change in Ownership for Water Right No(s): 67-14444

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

Chad Jones
Office Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 15, 2018

K3 CATTLE COMPANY LLC
1214 E COMMERCIAL ST
WEISER ID 83672

RE: Ownership Change for Water Right No. 67-1444

Dear Applicants,

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Please complete and submit the requested documentation listed below:

- **A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.** No conveyance documents were included with the received application.
- **67-1444 is not a valid water right number.** The Department has no record of this as an active water right. This may be a typo for water right 67-14444 owned by Dan C Smith & Clyde Smith, however, with no supporting documentation included I could not verify this. Please correct the returned application before resubmitting it.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures